

Amendments to the Drawings:

The attached sheets of drawings include two sheets of Formal Drawings, Figs. 1-5. These sheets, which includes Figs. 1-5, replaces the original sheets including Figs. 1-5.

Attachment: Replacement Sheets

REMARKS

Claims 18-30 are pending. Claim 29 is rejected under 35 U.S.C. §112. Claims 18-20 and 30 are rejected under 35 U.S.C. §102(e) over Blomdahl, claims 18, 19, 21 and 30 are rejected under 35 U.S.C. §102(b) over Gabriele. Claims 18, 19, and 22 through 25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Thompson in view of Gabriele. Claims 18, 19 and 22 through 27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Thompson in view of Moore, and claims 18, 19, 22 through 25, and 28 through 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Walding in view of Gabriele.

Claim 29 has been amended to correct the antecedent problem and to change its dependency correcting the objection under §112.

Independent claim 18, on which all remaining claims are dependent, has been amended to indicate that the grip layer is of a material different from the cap shell and that the ribs are vertically extending ribs fused to the cap shell and exposing the cap shell therebetween. Support for the fusing is found at [0021] of the present application and support for the vertical extension of the ribs with spacing therebetween is supported by Fig. 1 and [0020].

In light of this amendment to claim 18, the above art rejections are respectfully traversed. Blomdahl does not teach vertically extending ribs of a soft material raised from the outer surface in spaced relationship as is now claimed. The ribs 34 shown in Fig. 1 of Blomdahl are part of the skirt 34 and clearly constructed of a rigid underlying material of the skirt in contrast to the rubber material making up second piece 40 and third piece 50. See generally, col. 4, lines 3-12, and lines 26-33. The hemi-circular regions 40, while arguably vertically extending, are not raised from the outer surface. Blomdahl arguably teaches away from the present invention by showing the desirability of ribs, but not teaching that they can be made of the resilient material.

While Blomdahl teaches that rubber 40 may be knurled or otherwise textured (per the citations by the Examiner), such suggestions of knurling and texturing do not anticipate ribs spaced apart to expose the shell material therebetween as required

by the amended claims. Spaced, free-standing ribs differ fundamentally from knurling with regard to manufacture, aesthetics, and efficient use of material.

Gabriele fails to remedy the deficiency of Blomdahl, also not teaching vertically extending ribs of a soft material raised from the outer surface in spaced relationship. Gabriele teaches a single, horizontal band, possibly knurled, fitting around the cap. Further, Gabriele does not appear to teach ribs fused to the material of the cap as is required by the claims. The limitation of "fused" is a structural, not a process limitation, and describes a particular type of attachment that may be determined without knowledge of the underlying manufacturing method.

As noted by the Examiner, Thompson describes a cap without ribs, and as described above, this deficiency is not remedied by Gabriele which describes a knurled or embossed surface that may be clearly distinguished from the ribs expressly claimed in claim 18. Accordingly, a combination of Thompson and Gabriele does not anticipate the present invention.

The deficiency of Thompson is also not remedied by Moore which teaches ribs constructed of the same underlying material as the shell. A combination of Thompson and Moore would simply cover the entire shell of Moore with a band of elastomer as taught by Thompson.

Walding describes a cap with an overmolded soft material. Apparently the skirt, molded of a hard material, has axially extending ribs 18. However, it is not clear to the Applicant that Walding teaches or suggests ribs in the grip layer as required by the claims. In any case, ribs as defined by claim 18, being spaced apart to expose the shell therebetween, do not appear to be taught or suggested.

It is believed that the remaining claims 19 through 30 are allowable for the reasons provided above with respect to claim 18. However, it is noted generally that the features of claim 23 relating to the joining together of the ribs at the pad, and the features of claims 26 and 27, related to a co-joining of the ribs to create a gasket at the lower rim so that both gasket and rim may be formed in a single molding operation, also does not appear to be shown in any of these references alone or in combination.

For the reasons provided above, it is believed that claims 18 through 30 are now in condition for allowance and allowance is respectfully requested.

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Respectfully submitted,

JOHN J. HAHN et al.

By: 

Keith M. Baxter, Reg. No. 31,233
Attorney for Applicant
Quarles & Brady LLP
411 E. Wisconsin Avenue
Milwaukee WI 53202-4497
(414) 277-5719